

Article - Natural Resources

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§8–738.1.

(a) If a person is involved in an accident while operating or attempting to operate a vessel that results in the death of, or a life-threatening injury to, another person and the person is detained by a police officer who has reasonable grounds to believe that the person has been operating a vessel or attempting to operate a vessel while under the influence of alcohol, while impaired by alcohol, while so far impaired by any drug, any combination of drugs, or a combination of one or more drugs and alcohol that the person could not operate a vessel safely, or while impaired by a controlled dangerous substance, the person shall be required to submit, as directed by the police officer, to a test of:

(1) The person's breath to determine alcohol concentration;

(2) One specimen of the person's blood to determine alcohol concentration or to determine the drug or controlled dangerous substance content of the person's blood; or

(3) Both the person's breath under item (1) of this subsection and one specimen of the person's blood under item (2) of this subsection.

(b) If a police officer directs that a person be tested, then the provisions of § 10–304 of the Courts Article apply.

(c) Any medical personnel who perform any test required by this section are not liable for any civil damages as a result of any act or omission related to the test, not amounting to gross negligence.

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